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TS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/862,387 05/21/01 TAYLOR M 50037.19US01

027488 TM02/1002
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EXAMINER

CHUNG TRANS, X
ART UNIT PAPER NUMBER

2181
DATE MAILED:

10/02/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/862387

Applicant(s)

Padawer et al.

Examiner

X. CHUNG-TRANS

Group Art Unit

2181

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/23/01
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-22 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-22 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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As per claim 2, Vook does not explicitly teach that the application is configured to not bring the mobile device out of the low power consumption state if the mobile device has been shut off by the switch. However, one of ordinary skill in the art at the time the invention was made would have found it obvious to do because this would allowed for greater system flexibility.

As per claims 3-5, and 14-22, Vook does not explicitly disclose a user interface configured to receive the first of data and the second set of data and to abort the placement of the device into or out of the low power consumption state. Mundt discloses such a user interface that allow the user to set the sleep time or wake time values and to change power conservation levels (col 7, lines 20-30). Therefore, it would have been obvious to one skilled in the art at the time the invention was made, to incorporated such a user interface as taught by Mundt into the invention of Vook in order to allow the user to set the sleep time or wake time and to abort the placement of the device into or out of the power consumption state as needed (col. 3, lines 24-50 and col. 7, lines 20-30).

As per claims 11-13, Mundt discloses delaying of putting the device into the low power consumption state comprises adding a predetermined time to the sleep time or aborting of putting the device into the low power consumption state (col. 3, lines 24-50 and col. 7, lines 20-30).

5. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vook and Mundt as applied to claim 1 above, and further in view of Crump et al. (U.S. Pat. No. 5,603,038).

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1. This application has been examined.
2. Claims 1-22 are pending in this application.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 and 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vook et al. (U.S. Pat. No. 5,625,882) in view of Mundt et al. (U.S. Pat. No. 5,640,176).

As per claims 1 and 10, Vook discloses a power management technique for use on a mobile device (110), comprising s first set of data including a sleep time and a wake time; a second set of data including other times; and an application configured to put the mobile device in a low power consumption state, and to bring the mobile device out of the low power consumption state (abstract, and fig.1). Vook does not explicitly disclose a timer configured to generate a wake event upon the expiration of the countdown time. Mundt discloses such a timer (fig. 4, element 62). Therefore, it would have been obvious to one skilled in the art at the time the invention was made, to incorporated such a timer as taught by Mundt into the invention of Vook so that such a timer can be configured to expire after a certain of time as desired (col. 3, lines 25-27).

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As per claims 6-9, Vook does not explicitly disclose a predetermined event includes an appointment time, a meeting time or a task expiration time. Crump, however, discloses such a scheduler (col. 15, lines 50-63). Therefore, it would have been obvious to one skilled artisan at the time the invention was made to include the teaching of Crump in the system of Vook in order to put the device into or out of the low power conservation state (col. 15, lines 50-63).


6. The additional cited references are considered as art being relevant to this application.

Applicant is requested to consider them when responding to this Office action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuong M. Chung-Trans whose telephone number is (703) 305-9772. The examiner can normally be reached on Tuesday - Friday from 7:30 AM to 1:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel, can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Xuong M. Chung-Trans
Patent Examiner
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Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.